

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

RAYMOND J. GREER

PETITIONER

V.

Civil Action No. 1:05cv441-LG-RHW

RONALD KING, ET AL.

RESPONDENTS

CERTIFICATE OF APPEALABILITY

A notice of appeal having been filed in the captioned habeas corpus case, in which the detention complained of arises out of process issued by a state court pursuant to 28 U.S.C. § 2254 or the detention arises out of a judgment and conviction in federal court which is being challenged pursuant to 28 U.S.C. § 2255, the court, considering the record in the case and the requirements of 28 U.S.C. § 2253 and Rule 22(b) of the Federal Rules of Appellate Procedure, hereby finds that:

Part A

- ___ A certificate of appeal ability should issue. (See reasons below.)
- X A certificate of appeal ability should not issue. (See reasons below.)

Part B

(for non-CJA pauper cases only)

- X The party appealing is a pauper.
- ___ The party appealing is not a pauper. (See reasons below.)

REASONS:

- 1) The Petitioner has not made a substantial showing of the denial of a constitutional right.
- 2) Pursuant to 28 U.S.C. § 2244(d), the Petitioner is barred by the statute of limitations.

SO ORDERED AND ADJUDGED this the 16th day of November, 2006.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE

